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# DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☒ The attached application, or  
☐ Application No. \_\_\_\_\_, filed on \_\_\_\_\_,  
☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

## FULL NAME OF INVENTOR(S)

Inventor one: Benjamin D. Pless

Signature: Benjamin D. Pless Citizen of: United States of America

Inventor two: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor three: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor four: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/81 (10-00)  
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## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	
Filing Date	
First Named Inventor	PLESS, Benjamin D.
Group Art Unit	
Examiner Name	
Attorney Docket Number	N11-00

I hereby appoint:

☐ Practitioners at Customer Number  **OR**  
☒ Practitioner(s) named below:

Place Customer  
Number Bar Code  
Label here

Name	Registration Number
Clarke A. Wixon	39,878

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

**OR**

☐ Firm or  
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

Name

Benjamin D. Pless

Signature

*Benjamin D. Pless*

Date

November 3, 2000

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

932 U.S. PTO  
09/706322



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**Conveying Party(ies)**

☐ Mark if additional names of conveying parties attached

Name (line 1) Pless, Benjamin D.

Execution Date  
Month Day Year  
11 03 2000

Name (line 2)

**Second Party**

Execution Date  
Month Day Year

Name (line 1)

Name (line 2)

**Receiving Party**

☐ Mark if additional names of receiving parties attached

Name (line 1) NeuroPace, Inc.

Name (line 2) a Delaware corporation

Address (line 1) 255 Santa Ana Ct.

Address (line 2)

Address (line 3) Sunnyvale

City

CA

State/Country

94085

Zip Code

☐ If document to be recorded  
is an assignment and the  
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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

**Correspondent Name and Address**

Area Code and Telephone Number (408) 774-4511

Name Clarke A. Wixon

Address (line 1) NeuroPace, Inc.

Address (line 2) 255 Santa Ana Ct.

Address (line 3) Sunnyvale, CA 94085

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

# 1

**Application Number(s) or Patent Number(s)**

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Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

**Patent Application Number(s)**


**Patent Number(s)**


If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year  
11 03 2000

**Patent Cooperation Treaty (PCT)**

Enter PCT application number  
only if a U.S. Application Number  
has not been assigned.

PCT  PCT  PCT   
PCT  PCT  PCT

**Number of Properties**

Enter the total number of properties involved.

# 1

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40

Method of Payment:  
Deposit Account

Enclosed ☒ Deposit Account ☐

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes ☐ No ☐

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Clarke A. Wixon

Name of Person Signing



Signature

11/3/2000

Date

## ASSIGNMENT

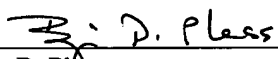
For good and valuable consideration, the receipt of which is acknowledged, I, **Benjamin D. Pless**, of 5 Ridgeview Drive, Atherton, California 94027 (the "Assignor"), do hereby sell, assign, and transfer to **NeuroPace, Inc.**, a corporation duly organized under and pursuant to the laws of the state of Delaware and having a principal place of business at 255 Santa Ana Court, Sunnyvale, California 94085 ("Assignee"), the entire right, title, and interest, together with all rights of priority, in and to my Inventions described and claimed in my application for Letters Patent of the United States entitled PREDICTING SUSCEPTIBILITY TO NEUROLOGICAL DYSFUNCTION BASED ON MEASURED NEURAL ELECTROPHYSIOLOGY, executed by the inventor on November 3, 2000, and as described and claimed in any and all applications for Letters Patent in the United States and all foreign countries, together with all Letters Patent issuing on any of the aforesaid applications for Letters Patent, all to be held and enjoyed by Assignee, its successors, assigns, or other legal representatives, to the full ends of the terms of all said Letters Patent which may be granted, as fully and entirely as the same would have been held and enjoyed by the Assignors had this Assignment not been made.

I hereby authorize Assignee to make applications for and to receive Letters Patent for said Inventions in any of said countries in its own name, or in mine, at its election.

I hereby covenant and agree that at the time of execution and delivery of this Assignment, the Assignor is the sole and lawful owners of the entire right, title, and interest in and to said Inventions and applications for Letters Patent, and that the same are unencumbered and that the Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth.

I hereby further covenant and agree that I will execute or procure any further necessary assurance of the titles to said Inventions and any Letters Patent which may issue therefor and that I will at any time, upon the request and at the expense of Assignee, deliver any testimony in any legal proceeding and execute all papers that may be necessary or desirable to perfect the title to, procure, maintain, enforce, or defend said Inventions or any Letters Patent thereon which may be granted to Assignee and its successors, assigns, or other legal representatives, and I will at any time, upon the request and at the expense of Assignee, execute any continuations, continuations-in-part, divisional, reissue, extension, or any other applications for Letters Patent for said Inventions or any part or parts thereof, all of which applications and any Letters Patent issuing thereon are hereby assigned to Assignee, and will make all rightful oaths, execute all papers, and do all rightful acts requisite for procuring, maintaining, enforcing, and defending the same without further compensation, but at the expense of Assignee, its successors, assigns, or other legal representatives.

And I hereby authorize and request the Commissioner for Patents to issue any and all Letters Patent of the United States for said Inventions resulting from any of the aforesaid applications to **NeuroPace, Inc.**, as sole Assignee, for the sole use and enjoyment of said Assignee, its successors, assigns, or legal representatives.

  
\_\_\_\_\_  
Benjamin D. Pless

11-3-2000  
\_\_\_\_\_  
Date